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| 7  | UNITED STATES DISTRICT COURT   |   |
| 0  | DISTRICT OF NEVADA   |   |
| 8  | UNITED STATES OF AMERICA,  | Case No. 2:11-cr-0221-JCM-DJA                     |
| 9  | ,  |   |
| 10 | Plaintiff,   | Motion to Dismiss the Indictment                  |
| 10 | v.   | Without Prejudice and Quash Arrest Warrant        |
| 11 |  | , , <del>, , , , , , , , , , , , , , , , , </del> |
| 12 | JIAN BIAO LIU,   |   |
| 12 | Defendant.   |   |
| 13 |  |   |
| 14 |  |   |
|    |  |   |
| 15 | On June 8, 2011, Jian Biao LIU was charged by complaint. ECF 3. On June 14,                |   |
| 16 | 2011, a federal grand jury returned an indictment charging Defendant LIU with violations   |   |
| 17 | of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(A)(vii) – Conspiracy to Manufacture a Controlled |   |
| 18 | Substance - Marijuana. ECF 11. An arrest warrant was issued On June 21, 2011. ECF          |   |
| 19 | 17.  |   |
| 20 | LIU has never been located by either the Drug Enforcement Administration or the            |   |
| 21 | United States Marshall Service. Both agencies are unable to execute the arrest warrant as  |   |
| 22 | to the captioned defendant.  |   |
| 23 |  |   |
| ,  |  |   |
| 24 |  |   |

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Therefore, pursuant to Federal Rule of Criminal Procedure 48(a), the government hereby moves for leave of Court to dismiss the Indictment without prejudice and quash the arrest warrant. Respectfully submitted this 5<sup>th</sup> day of April, 2021. Respectfully submitted, CHRISTOPHER CHIOU Acting United States Attorney /s/ Susan Cushman SUSAN CUSHMAN Assistant United States Attorney 

## **UNITED STATES DISTRICT COURT** 1 **DISTRICT OF NEVADA** 2 3 UNITED STATES OF AMERICA, Case No. 2:11-cr-0221-JCM-DJA Plaintiff, **Order Granting** 4 Motion to Dismiss the Indictment 5 v. Without Prejudice and Quash Arrest Warrant JIAN BIAO LIU, 6 Defendant. 7 8 Pursuant to Federal Rule of Criminal Procedure 48(a), and upon leave of Court, the 9 United States hereby dismisses without prejudice the Indictment and quashes the Arrest 10 11 Warrant against Defendant JIAN BIOA LIU. Respectfully submitted, 12 CHRISTOPHER CHIOU 13 Acting United States Attorney 14 /s/ Susan Cushman SUSAN CUSHMAN 15 Assistant United States Attorney 16 17 Leave of Court is granted for the filing of the above dismissal. DATED April 16, 2021. 18 19 Cellus C. Mahan 20 21 HCNCRABLE JAMES C. MAHAN UNITED STATES DISTRICT JUDGE 22 23 24